

## REMARKS

At the time of the Office Action dated March 30, 2009, claims 1-9 were pending in this application. In this Amendment, claims 1, 4, 5, and 9 have been amended, and claim 2 canceled. Care has been exercised to avoid the introduction of new matter. Support for the present Amendment should be apparent throughout the originally filed disclosure, such as Fig. 7 of the present application.

Claims 1 and 3-9 are now active in this application, of which claim 1 is independent. A Request for Continued Examination is filed concurrently with this Amendment.

### **Claim Rejection Under 35 U.S.C. § 112**

Claim 9 has been rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The Examiner asserted that it is unclear as to what items are being referenced by the clause “the obtained two management numbers” in claim 9.

In this Amendment, the clause has been replaced with -- the obtained management numbers --. Applicants believe the amendments to claim 9 are fully responsive to the Examiner’s concerns. Withdrawal of the rejection of claim 9 is, therefore, respectfully solicited.

### **Claim Rejection Under 35 U.S.C. § 103**

Claims 1-9 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Miyazaki et al. (U.S. Patent No. 7,305,558 B1, hereinafter “Miyazaki”) in view of Koseki et al. (U.S. Patent No. 6,732,124 B1, hereinafter “Koseki”) and Steiner et al. (U.S. Patent No. 6,023,710, hereinafter “Steiner”).

Miyazaki, Koseki, and Steiner, individually or in combination, do not disclose or suggest a data storage device including all the limitations recited in independent claim 1. Specifically, the applied combination does not teach, among other things, the following limitations as recited in claim 1:

each of said plurality of items of the history information includes identification information identifying said classified data, information showing a progress state of input/output processing of said classified data, and information showing a state of the input/output of said classified data,...

in input processing of said classified data including outputting of the history information,

said control portion receives the identification information of said classified data to be input/output via said interface, searches the plurality of regions in said log storage portion in the predetermined order, determines the latest region storing the newest item of this history information including said received identification information, and outputs via said interface the information showing the progress state of the input/output processing of said classified data and the information showing the state of the input/output of said classified data included in the history information stored in the determined latest region.

In the Office Action, the Examiner asserted that Miyazaki teaches that “each of the plurality of items of said history information stored in said log storage portion includes identification information identifying classified data to be input/output” (see claim 1 in the January 7, 2009 Amendment). However, Miyazaki does not teach, among other things, “information showing a progress state of input/output processing of said classified data, and information showing a state of the input/output of said classified data” which are also included in each of the plurality of items of the history information. Nor do Koseki and Steiner teach such claimed information. Accordingly, Koseki and Steiner do not cure the deficiencies of Miyazaki.

Based on the foregoing, Miyazaki, Koseki, and Steiner, individually or in combination, do not disclose or suggest a data storage device including all the limitations recited in independent claim 1. Claims 3-9 are also patentably distinguishable over Miyazaki, Koseki, and

Steiner at least because these claims respectively include all the limitations recited in independent claim 1. The rejection of claim 2 has been rendered moot by the cancellation of the claim. Applicants, therefore, respectfully solicit withdrawal of the rejection of the claims and favorable consideration thereof.

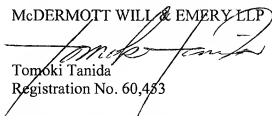
**Conclusion**

In view of the above amendments and remarks, Applicants submit that this application should be allowed and the case passed to issue. If there are any questions regarding this Amendment or the application in general, a telephone call to the undersigned would be appreciated to expedite the prosecution of the application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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